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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,567	03/30/2004	Rahul Gupta	2004P00343US01	3688
27799	7590	12/11/2006		EXAMINER
COHEN, PONTANI, LIEBERMAN & PAVANE 551 FIFTH AVENUE SUITE 1210 NEW YORK, NY 10176				THOMPSON, CAMIE S
			ART UNIT	PAPER NUMBER
			1774	

DATE MAILED: 12/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/812,567	GUPTA ET AL.	
	Examiner	Art Unit	
	Camie S. Thompson	1774	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on Election filed September 29, 2006.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/30/04; 7/28/06.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application
- 6) Other: _____.

DETAILED ACTION

1. Applicant's election of Group I, claims 1-20 is acknowledged.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Gupta et al., U.S. Patent Number 7,132,788.

The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Gupta discloses thin film device processing and fabrication for organic light emitting diodes based displays and other electronic devices, which use selective deposition as per instant claim 1 and 20 (see column1, lines 5-11). Additionally, the reference discloses that the OLED display

has a conducting layer and a polymer emissive layer on the anode layer (see column 7, lines 55-58). The reference discloses an anode layer is fabricated/patterned over a substrate wherein the substrate may be made of glass, quartz, silicon or plastic and the typical anode materials include metals (aluminum, silver, copper, indium, tungsten), metal oxides, doped inorganic semiconductors (doped silicon, gallium or arsenide) or doped conducting polymers (polyaniline or polythiophene) (see column 7, line 60-column 8, line 2). It is disclosed in column 8, lines 63-68 of the reference that the conducting polymer layer is also the hole transporting layer that is formed from a solution comprising water, polyethylenedioxythiophene (PEDOT) and polystyrenesulfonic acid (PSS) as per instant claim 18. The emissive polymer layer(s) is/are printed and is primarily responsible for the emission of light and can include a polymer from polyfluorene, polyphenylenes, polyarylenevinylene or polyquinoline. The emissive polymer layer results from the drying of the substance deposited by the print head (see column 9, line 8-column 10, line 6). It is also disclosed in the reference that a cathode layer is deposited on the anode layer as per instant claim 17 (column 7, lines 39-41). Column 11, lines 25-36 of the reference disclose that the organic electronic device can be a transistor as per instant claim 19. Claims 1-20 are product-by-process claims. Even though product-by-process claims are limited by and defined by the process, determination of patentability is based on the product itself. The patentability of a product does not depend on its method of production. If the product in the product-by-process claim is the same as or obvious from a product of the prior art, the claims are unpatentable even though the prior art product was made by a different process. See MPEP 2113.

4. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Stegamat et al., U.S. Pre Grant Publication 2004/0265623.

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention “by another,” or by an appropriate showing under 37 CFR 1.131.

Stegamat discloses an electronic device comprising a substrate, a first electrode layer deposited on the substrate, a conducting polymer region, an active electronic layer (light emitting layer) and a second electrode layer (see abstract and paragraph 0014). The reference discloses that the conducting polymer region is formed from a solution comprised of water, PEDOT and PSS selectively deposited (see paragraphs 0015-0016). It is disclosed in paragraph 0021 that the anode is a conductive layer that serves as a hole injecting layer and is comprised of metals, metal oxides, doped semiconductors or doped conducting polymers. Paragraph 0029-0037 discloses the use of poly(p-phenylenevinylene) in the light emissive layer. Claims 1-20 are product-by-process claims. Even though product-by-process claims are limited by and defined by the process, determination of patentability is based on the product itself. The patentability of a product does not depend on its method of production. If the product in the product-by-process claim is the same as or obvious from a product of the prior art, the claims are unpatentable even though the prior art product was made by a different process. See MPEP 2113.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Camie S. Thompson whose telephone number is (571) 272-1530. The examiner can normally be reached on Monday through Friday from 7:30 am to 4:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena L Dye, can be reached at (571) 272-3186. The fax phone number for the Group is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


RENA DYE
SUPERVISORY PATENT EXAMINER
Art Unit 1774
12/16/04